

AMENDED IN SENATE AUGUST 17, 1999

AMENDED IN SENATE JULY 12, 1999

AMENDED IN ASSEMBLY APRIL 19, 1999

AMENDED IN ASSEMBLY APRIL 7, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 811

Introduced by Assembly Member Keeley

February 24, 1999

An act to add Section ~~367.5~~ 367.7 to the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 811, as amended, Keeley. Electrical restructuring.

The Public Utilities Act requires the Public Utilities Commission to recover uneconomic costs associated with electrical deregulation, including transition costs, as defined, to be allocated as prescribed. The act requires that individual customers not experience rate increases as a result of the allocation of transition costs.

This bill would require the commission to implement a methodology whereby the Power Exchange energy credit for a customer with a meter, installed on or after ~~January 1~~ June 30, 2000, that is capable of recording hourly data *is to* be calculated based on the actual hourly data for that customer. For customers with meters, as prescribed, installed before ~~January 1~~ June 30, 2000, the bill would require the energy

credit, on a one-time basis before ~~January~~ June 30, 2000, to be based on either the actual hourly data for the customer or the average load profile for that customer class, as prescribed. This bill would require recovery of any costs of ~~developing~~ *implementing* the methodology of energy credit payment to be recoverable through rates for that customer class. The bill would provide that the methodology shall not result in any shifts in cost between customer classes and shall be consistent with a specified provision of existing law.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section ~~367.5–367.7~~ is added to the Public
2 Utilities Code, to read:
3 ~~367.5.—~~
4 367.7. (a) It is the intent of the Legislature in
5 enacting this section to ensure that individual customers
6 do not experience rate increases as a result of the
7 allocation of transition costs, in accordance with
8 paragraph (2) of subdivision (e) of Section 367.
9 (b) The commission shall implement a methodology
10 whereby the Power Exchange energy credit for a
11 customer with a meter installed on or after ~~January 1~~
12 June 30, 2000, that is capable of recording hourly data is
13 calculated based on the actual hourly data for that
14 customer. The Power Exchange energy credit for a
15 customer with a meter installed before ~~January 1~~ June 30,
16 2000, that is capable of recording hourly data shall, at the
17 election of the customer, on a one-time basis before
18 ~~January~~ June 30, 2000, be calculated based on either (1)
19 the actual hourly data for that customer or (2) the
20 average load profile for that customer class. If the
21 customer fails to make an election, that customer's Power
22 Exchange *energy* credit shall continue to be based on the
23 average load profile for that customer class.
24 (c) Additional *incremental* billing costs incurred as a
25 result of the methodology ~~developed~~ *implemented* by
26 the commission pursuant to subdivision (b) ~~shall~~ *may* be

1 recoverable through rates for that customer class, *if the*
2 *commission finds that the costs are reasonable.*

3 (d) The methodology ~~developed~~ *implemented* by the
4 commission pursuant to subdivision (b) shall not result in
5 any shifts in cost between customer classes and shall be
6 consistent with the firewall provision set forth in
7 subdivision (e) of Section 367.

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9 CORRECTIONS

10 **Text — Page 2.**

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